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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,827	10/07/2004	Christopher John Fletcher	70655.4800	5826

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EXAMINER	
TAYLOR, APRIL ALICIA	

ART UNIT	PAPER NUMBER
2876	

MAIL DATE	DELIVERY MODE
06/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/711,827	FLETCHER, CHRISTOPHER JOHN
	<b>Examiner</b>	<b>Art Unit</b>
	April A. Taylor	2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 April 2007.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 and 19-30 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7,9-17,19-23,25 and 27-30 is/are rejected.
- 7) Claim(s) 8,24 and 26 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/2004; 10/2005; 04/2007</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Invention I in the reply filed on April 12, 2007 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 29 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 29 recites the limitation "the second party's records" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 30 recites the limitation "the second party's records" in line 8. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9-17, 19-23, 25, 27, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Gephart (US 6,339,766), cited by the applicant.

Re claims 1 and 3-5: Gephart teaches a method for facilitating a transaction comprising the steps of:

identifying at least one primary account;

generating a limited use PIN that is configured to facilitate a transaction;

associating the limited use PIN with the at least one primary account;

issuing the limited use PIN to a first party to facilitate a transaction with a second party;

allowing the first party to select and define conditions-of-use parameters, wherein the parameters place limits on how the limited use PIN may be used;

associating the conditions-of-use parameters with the limited use PIN; and

storing the condition of use parameters in one or more account database fields associated with the limited use PIN. (See col. 3, line 55 to col. 4, line 52; col. 7, line 14+)

Re claim 2: Gephart teaches wherein the step of issuing the limited use PIN to a first party to facilitate a transaction with a second party comprises configuring the limited use PIN to be immediately usable for facilitating the transaction (see col. 4, lines 32-52).

Re claim 6: Gephart teaches wherein the steps of selecting and defining the conditions of use parameters comprise selecting and defining at least one of: a limited use PIN expiration date and a predetermined number of transactions before the limited use PIN is declined (see col. 3, line 63 to col. 4, line 6).

Re claim 7: Gephart teaches wherein the conditions of use parameters comprise a notification response, wherein the notification response comprise notifying a third party whenever the limited user PIN is used. (See col. 5, line 18 to col. 6, line 42)

Re claims 9 and 10: Gephart teaches a method for facilitating a transaction comprising the steps of:

identifying at least one primary account;

generating a limited use PIN that is configured to facilitate a transaction;

associating the limited use PIN with said at least one primary account;

issuing the use PIN to a first party to facilitate a transaction with a second party, wherein the use PIN is configured to be immediately usable for facilitating the transaction;

receiving transaction information from a second party for authorization;

forwarding the transaction information to a card authorization system for authorization processing;

processing the transaction information with the card authorization system, wherein the card authorization system interfaces with a limited use PIN system to determine if authorization is appropriate;

recognizing that the transaction information comprises a limited use PIN;

retrieving account information that is associated with the limited use PIN;

determining if conditions of use associated with said primary account are satisfied, wherein the conditions of use parameters associated with the primary account include at least an expiration date;

determining if conditions of use associated with the limited use PIN are satisfied;  
returning an appropriate approval code to the second party, if conditions of use parameters associated with the limited use PIN and the primary account are satisfied; and

declining the authorization request if either the conditions associated with at least one of the primary account and the limited use PIN are not satisfied. (See col. 5, line 18 to col. 6, line 42)

Re claim 11: Gephart teaches wherein the steps of determining if conditions of use associated with the primary account and limited use PIN are satisfied, comprises determining if at least one of the following conditions of use are satisfied: a limited use PIN expiration date and a predetermined number of transactions before the limited use PIN is declined (see col. 3, line 63 to col. 4, line 6; col. 6, line 13-42).

Re claims 12-14: Gephart teaches a method for facilitating a transaction comprising the steps of:

identifying at least one primary account;  
generating a limited use PIN that is configured to facilitate a transaction;  
associating the limited use PIN with said at least one primary account;  
issuing the limited use PIN to a first party to facilitate a transaction with a second party, wherein the limited use PIN is configured to be immediately usable for facilitating the transaction;  
receiving transaction settlement information from a second party, wherein the transaction was facilitated using a limited use PIN;

identifying the transaction settlement information as a transaction involving a limited use PIN;

verifying that the limited use PIN is a valid number;

capturing the transaction settlement information in a financial capture system;

causing the second party to be paid;

identifying the primary account that is associated with the limited use PIN;

replacing the limited use PIN with the primary account PIN number;

processing the transaction settlement information in an accounts receivable system;

generating a billing statement that includes at least the primary account number;

and

comparing the transaction settlement information with conditions of use parameters associated with the limited use PIN to determine if the conditions of use have been satisfied. (See col. 6, lines 13-42; col. 7, line 14 to col. 8, line.5)

Re claims 15 and 16: Gephart teaches a method of processing authorization and settlement requests in a transaction system comprising the steps of:

receiving an authorization request from a second party, where the authorization request involves a limited use PIN with limited-use conditions associated therewith;

routing the authorization request to a card authorization system to determine if limited use conditions have been satisfied;

returning to the second party a message declining authorization if the conditions have not been satisfied;

returning to the second party a message approving authorization request if conditions have been satisfied; and

receiving from the second party a settlement request for payment of a transaction involving a limited use PIN, wherein the second party is paid if the limited use PIN is valid. (See col. 6, lines 13-42; col. 7, line 14 to col. 8, line 5)

Re claim 17: Gephart further teaches routing the second party settlement request for payment to a financial capture system;

creating an accounts payable file and routing the accounts payable file to an accounts payable system for payment processing; and

creating an accounts receivable file and routing the accounts receivable file to a service that retrieves the associated primary account number and replaces the limited use PIN with the primary account PIN number and forwards the resulting accounts receivable file to an accounts receivable system to generate the first party billing statement. (See col. 6, lines 13-42; col. 7, line 14 to col. 8, line 5)

Re claims 19-22: Gephart teaches a method for facilitating a transaction comprising the steps of:

registering with a card provider to use a transaction system;

logging-in to the card provider's transaction system by providing authenticating information, and causing card provider to verify that a first party is a registered and authorized user;

designating at least one transaction account as at least one primary account;

requesting a limited use PIN from the card provider, causing the card provider to generate a limited use PIN and to associate the limited use PIN with the previously selected primary account;

receiving the limited use PIN from the card provider;

providing the limited use PIN to a second party to facilitate a transaction;

selecting conditions of use parameters to be associated with the limited use PIN;

and

defining conditions of use parameters to be associated with the limited use PIN.

(See col. 4, line 32 to col. 5, line 57; and col. 5, line 58 to col. 6, line 42)

Re claim 23: Gephart teaches wherein the steps occur online (col. 5, line 18+).

Re claim 25: Gephart teaches wherein the at least one primary account is associated with an electronic line of credit system (col. 4, lines 38-44).

Re claim 27: Gephart teaches a method for facilitating an electronic line of credit system involving a limited use PIN comprising the following steps:

issuing a line of credit to a participating first party;

causing to be processed an application from the first party requesting to be issued a limited use PIN;

causing to be issued to the first party a limited use PIN that is associated with the line of credit, wherein the limited use PIN is used to facilitate a transaction; and only be used with a specified second party to facilitate a transaction. (See col. 5, line 18 to col. 6, line 42)

Re claim 28: Gephart teaches a method for facilitating a transaction, comprising the steps of:

receiving a primary account number from a first party to initiate a transaction;  
sending the primary account number to a card provider during a card authorization process, requesting that the card provider generate and return a limited use PIN that is associated with the primary account number; and  
receiving from the card provider the limited use PIN associated with the primary account, wherein the limited use PIN is then used to facilitate a transaction settlement.  
(See col. 5, line 18 to col. 6, line 58)

***Allowable Subject Matter***

Claims 8, 24, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fail to teach or fairly suggest, in conjunction with other limitations in the claims, wherein notifying a third party includes notifying the police, the fire department, a parent, or an employer (as recited in claim 8); wherein the at least one primary account is a noncurrency based account (as recited in claim 24); and the step of disputing a charge for a transaction involving a limited use PIN (as recited in claim 26).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Walker et al (US 7,177,835) discloses a method and device for generating a single use financial account number.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Taylor whose telephone number is (571) 272-2403. The examiner can normally be reached on Monday - Friday from 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.taylor@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Art Unit: 2876

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AAT

June 25, 2007



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PRIMARY EXAMINER